

Before the Board of Zoning Adjustment, D. C.

Application No. 11898, of the Estate of H. K. Willard and Frederick Richmond, pursuant to Section 8207.2 of the Zoning Regulations for permission to continue the use of a parking lot in the R-5-B Zone, as provided by Section 3104.44 of the regulations at the premises 1627-31-33-35 Que Street, N. W , known as Lots 9, 14, 100, 801, and 802, in Square 179.

HEARING DATE: May 21, 1975

DECISION DATE : May 27, 1975

FINDINGS OF FACT:

1. Applicant proposes to continue use of a parking lot located in the R-5-B Zone. Approximately 20% of the existing parking lot is zoned C-2-A and that portion is not included in this application.

2. The subject property located on the east corner of 17th and Que Streets, N. W. has 100 feet of street frontage on 17th Street and 121 feet of street frontage on Que Street.

3. The parking lot is operated pursuant to Board of Zoning Adjustment approval set forth in Order No. 11566 which expired May 26, 1975.

4. A memorandum dated May 16, 1975 from the Zoning Division of the Municipal Planning Office and subsequent testimony at public hearing recommends approval of the application after a field inspection stated the following:

- a. Applicant has complied with the conditions set forth in BZA Order No. 11566.
- b. The subject property is convenient and reasonably necessary to serve the commercial corridor of 17th Street,

5. A memorandum dated March 11, 1975 from the Department of Highways and Traffic states no objection to continuation of operation of the parking lot.

6. Uncontested testimony states that in addition to

serving the 17th Street, commercial corridor the subject property serves two (2) restaurants located on R Street directly behind the site and residents of the area. The former Hotel Cairo located in the neighborhood is expected to complete re-development as a high-rise apartment in 1975, with no parking located in the building containing approximately two hundred (200) units.

7. There was no opposition raised to the application.

CONCLUSIONS OF LAW :

Upon consideration of the above Findings of Fact and the evidence of record the Board finds that the applicant has complied with the conditions set forth in BZA Order No. 11566 and with the provisions of Article 74 of the Zoning Regulations relating to parking lots. No commercial advertising sign is located outside any building except one advertising rates. No objectionable traffic conditions shall result from the continuation of this use. The neighborhood is zoned C-2-A and R-5-B and the present character and future development of the area will not be adversely affected. The subject property is reasonably necessary and convenient to the 17th Street commercial corridor, to restaurants on R Street and to residential uses in the neighborhood it serves. It is the conclusion of this Board that the continuation of operation of the subject parking lot is in harmony with the general purpose and intent of the Zoning Regulations and will not tend to adversely affect neighboring property.

ORDERED : That the above application be GRANTED for a period of three (3) years but subject to renewal within the discretion of the Board upon filing a new application pursuant to Zoning Regulations; this Order shall be further subject to the following conditions.

a. All areas devoted to driveways, access lanes, and parking areas shall be paved with materials which form an all-weather impervious surface.

b. Tire or bumper stops shall be erected and maintained for the protection of all adjoining buildings.

c. No vehicle or any part thereof shall project over any lot line, building line or on or over public spaces.

d. No other use shall be conducted from or upon the premises and no structure other than an attendant's structure

shall be erected or used upon the premise unless such use or structure is otherwise permitted in the district in which the parking lot is located.

e. Any lighting used to illuminate a parking lot or its accessory buildings shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

f. All parts of the lot shall be kept free of refuse and debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

The Board reserves the right to direct revocation of permit upon proper showing that any terms or conditions of this Order have been violated.

VOTE : 4-0 (Mr. Klauber not voting, not having heard the case.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: James E. Miller
JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: 6/19/75

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.